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y, James R. Hoen	Doane,	

Address to: Box PATENT APPLICATION	Attorney Docket No.	CLWR 0108 PUS	/60 / /
Commissioner for Patents United States Patent & Trademark Office Washington, D.C. 20231	Inventor(s) or Appln. Identifier	David C. Chauncey, James R. L and Christopher P. Hoen	Doane,

1.	This application entitled HYBRID SPREAD SPECTRUM METHOD AND SYSTEM FOR WIRELESSLY TRANSMITTING AND RECEIVING WIDEBAND DIGITAL DATA is:
	a A new application under 37 C.F.R. § 1.53(b).
	b. X A continuation X divisional or continuation-in-part application under 37 C.F.R. § 1.53(b) of prior application Serial No.09/136,247 filed on August 19, 1998, entitled HYBRID SPREAD SPECTRUM METHOD AND SYSTEM FOR WIRELESSLY TRANSMITTING AND RECEIVING WIDEBAND DIGITAL DATA
	c A new utility application which claims the benefit of provisional application Serial No, filed on
App	lication elements and other attached papers:
2.	X Specification (including Claims and Abstract) [Total Pages 28]
3.	X Drawings (_ informal / X formal) [Total Sheets 11]
4.	X Oath or Declaration
	a Newly-executed
	b. X Copy from a prior application (37 C.F.R. § 1.63(d))
5.	Incorporation By Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Item 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6.	This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53(d)(4).
	a DELETE the following inventor(s) named in the prior nonprovisional application:
	b The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
Г	CERTIFICATION UNDER 37 C.F.R. § 1.10
t	hereby certify that this UTILITY PATENT APPLICATION TRANSMITTAL and the documents referred to as attached herein are being deposited on the below date with the United States Postal Service in an envelope as "Express Mail ost Office to Addressee" addressed to: Box Patent Application, Commissioner for Patents, United States Patent nd Trademark Office, Washington, D.C. 20231 on:
	xpress Judy Noble (Type or print name of person mailing paper)
	ate of Deposit: July 31, 2001 (Signatury of person malling paper)

[Utility--page 1 of 3]

- 7. Preliminary Amendment:
 - A Preliminary Amendment is attached.
 - b. X Cancel in this application original claims 1-7 of the prior application before calculating the filing
 - c. X Please amend the specification by inserting before the first line the following sentence:

"This is a _____ continuation X ____ divisional of copending application(s) serial number09/136,247 filed on August 19, 1998."

d. ____ A Petition to Suspend Prosecution For The Time Necessary to File An Amendment (New Application Filed Concurrently) is attached.

- 8. Small entity status:
 - a. ____ Applicant claims small entity status.
 - Small entity status was claimed in the prior nonprovisional application and such status is still
 proper and desired.
 - c. ____ Is no longer desired.
 - Fee Calculation:

FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
TOTAL CLAIMS (37 C.F.R. § 1.16(c))	1 -20 =	0	x 18.00	0
INDEPENDENT CLAIMS (37 C.F.R. § 1.16(b))	1 -3 =	0	x 80.00	0
MULTIPLE DEPENDENT CLAIMS (if applicable)	(37 C.F.R. §1.16	5(d))	270.00	0
	В	ASIC FEE (37 C	.F.R. § 1.16(a))	710.00
	TOTAL	OF ABOVE CA	ALCULATIONS	710.00
REDUCTION BY 50% FOR FILING BY SMAL	L ENTITY (NO	ΓΕ 37 C.F.R. §§	1.9, 1.27, 1.28)	
\$40.00	ASSIGNMENT	RECORDAL FE	E (if applicable)	0
			TOTAL	\$710.00

- 10. X A check in the amount of \$710.00 is enclosed.
- 11. X The Commissioner is hereby authorized to credit overpayments or charge the following fees (or any deficiency therein) to Deposit Account No. 02-3978:
 - X Fees required under 37 C.F.R. § 1.16.
 - b. X Fees required under 37 C.F.R. § 1.17.
- 12. Maintenance of Copendency of Prior Application

A request for extension of time and the appropriate fee have been filed in the pending prior application
 (or are being filed in the prior application concurrently herewith) to extend the period for response
until

13.	_X An Information Disclosure Statement (IDS) is attached, along with the following indicated attachments thereto:
	a. X Form PTO/SB/08A (<u>one</u> sheet) and Form PTO/SB/08B (one sheet)
	b Copies of references cited
14.	Certified copy of priority document(s)
15.	Nonpublication Request Under 37 C.F.R. § 1.213(a)
16.	Request for Early Publication Under 37 C.F.R. § 1.219
17.	X Return Receipt Postcard
18.	Other:
19.	X An Assignment of the invention to <u>Interair Wireless, Inc.</u> having an address of <u>485 Cayuga Road, Buffalo</u> , New York 14225
	a. \underline{X} is attached.
	b. X was recorded on August 19, 1998 at Reel 9397, Frame 0853.
	c Applicant requests that the above assignee information be published with the application.
20.	The power of attorney in the prior application is to:
	David R. Syrowik 27,956
	Name of Attorney of Record Reg. No.
	Name of Attorney of Record Reg. No. X The power appears in the original papers in the prior application.
21.	Name of Attorney of Record Reg. No. X The power appears in the original papers in the prior application. The power does not appear in the original papers, but was filed on A new power has been executed and is attached.
21.	Name of Attorney of Record Reg. No. X The power appears in the original papers in the prior application. The power does not appear in the original papers, but was filed on A new power has been executed and is attached.
21.	Name of Attorney of Record Reg. No. X The power appears in the original papers in the prior application. The power does not appear in the original papers, but was filed on A new power has been executed and is attached. Correspondence Address: Please address all future communications to: